

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

U.S.A. vs. Cory L. Rogers

Docket No. 5:13-MJ-1263-1

Petition for Action on Probation

COMES NOW Thomas E. Sheppard, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Cory L. Rogers, who, upon an earlier plea of guilty to Driving While Impaired - Level 2 in violation of N.C.G.S. 20-138.1 as assimilated by 18 U.S.C. §13, was sentenced by the Honorable William A. Webb, U.S. Magistrate Judge, on May 14, 2013, to a 12-month term of probation under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall obtain a substance abuse assessment from an appropriate mental health facility within thirty (30) days from the date of this judgment and complete any prescribed treatment program. The defendant must pay the assessment fee and any added treatment fees that may be charged by the facility.
2. It is further ordered that the defendant shall participate in any other Alcohol/Drug Rehabilitation and Education program as directed by the U.S. Probation Office.
3. The defendant shall not operate a motor vehicle on the highways of the State of North Carolina until privilege to do so is restored in accordance with law.
4. The defendant shall abstain from the use of any alcoholic beverages, shall not associate with individuals consuming alcoholic beverages, shall not frequent business establishments whose primary product to the consumer is alcoholic beverages, and shall not use any medication containing alcohol without the permission of the probation office or a prescription from a licensed physician.
5. The defendant shall be confined in the custody of the Bureau of Prisons for a period of 7 days as directed by the probation office, and shall abide by all rules and regulations of the designated facility.

On May 14, 2014, a violation hearing was held. It was ruled that the defendant violated the conditions of probation by failing to obtain a substance abuse assessment and completing any prescribed treatment. Probation was continued and extended 6 months. The new expiration date is November 13, 2014.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

The defendant has not completed the prescribed treatment and will not be able to do so before the case expiration date. An extension of probation for 6 months will give the defendant time to comply with this requirement. The defendant signed a Waiver of Hearing agreeing to the proposed extension of supervision.

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PRAYING THAT THE COURT WILL ORDER that probation be modified as follows:

That the term of supervision be extended 6 months from the expiration date of November 13, 2014, until May 13, 2015.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

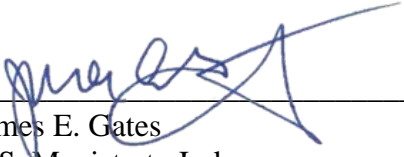
I declare under penalty of perjury that the foregoing is true and correct.

/s/ Robert K. Britt
Robert K. Britt
Senior U.S. Probation Officer

/s/ Thomas E. Sheppard
Thomas E. Sheppard
U.S. Probation Officer
310 Dick Street
Fayetteville, NC 28301-5730
Phone: (910) 483-8613
Executed On: November 12, 2014

ORDER OF COURT

Considered and ordered this 12th day of November, 2014, and ordered filed and made a part of the records in the above case.



James E. Gates
U.S. Magistrate Judge